

**NOV 10 2003****NOT FOR PUBLICATION****CATHY A. CATTERSON****U.S. COURT OF APPEALS****UNITED STATES COURT OF APPEALS****FOR THE NINTH CIRCUIT**

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SUZANNE L. DECKER,

Plaintiff - Appellee,

v.

DAVID W. MARIANI; MARIANI GROUP  
OF COMPANIES; WARREN DRIED  
FOODS CO., INC.; MGC LAND, a general  
partnership; MARY FRANCIS MARIANI  
TRUST; LINDA MARIANI DUHAMEL  
TRUST; PAUL A. MARIANI, III; JOHN G.  
MARIANI; GRIFFIN INVESTMENTS;  
MARIALISA DELMARE TRUST,

Defendants - Appellants.

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No. 02-16517

D.C. No. CV-00-20462-JF

ORDER\*

Appeal from the United States District Court  
for the Northern District of California  
Jeremy Fogel, District Judge, Presiding

Submitted November 6, 2003\*\*  
San Francisco, California

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

\*\* This panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

Before: CANBY, W. FLETCHER, and TALLMAN, Circuit Judges.

We affirm for the reasons expressed in the well-supported opinions of the Bankruptcy Court in Decker v. Mariani, et al. (In re Portofino Development Corp.), No. 93-57024 (Bankr. N.D. Cal., March 31, 2000), and the District Court in Decker v. Mariani, et al. (In re Portofino Development Corp.), No. 00-20462 (N.D. Cal., April 4, 2002).

AFFIRMED.